

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.35860 of 2008
RAMASHISH YADAV, S/o Lalji Yadav, R/o Vill.
Bahadurpur, P.S. Paliganj, Dist. Patna.
Versus
STATE OF BIHAR

2/ 18.11.2008

Heard.

Two persons allegedly informed the victim that the Mukhiya of the village, the petitioner, is calling the victim for some work. The victim did not return. On search, he could not be found and the persons, who supplied the said informations allegedly held out that the victim has gone with the Mukhiya and will come in the morning. Ultimately, the body of the victim was found and upon examination, it has now come on record that the death is by reason of consumption of a kind of insecticide. The death occurred on 16th November, 2004 and the dead body was found on 17th November, 2004, whereas the complaint was filed on 11th January, 2005. Though, it has been alleged in the complaint that the complainant went to the higher authority after the police station refused to record first information record but it has not come on record as yet when for the first time, the higher authority was approached. That being the situation and considering the fact that though insecticide could be forced upon the victim, but the postmortem report does not suggest

the same, despite rejection of the anticipatory bail application of those two persons, the application of the petitioner, Mukhiya, for grant of anticipatory bail is allowed.

Let the above named petitioner, in the event of arrest or surrender within six weeks from today, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri O.N. Trivedi, Judicial Magistrate, Ist Class, Jehanabad in connection with Complaint Case No. 12 of 2005 and Tr. No. 1619 subject to the conditions as laid down under Section

438(2) of the Cr. P.C.

S.B.P.

(Barin Ghosh, J.)

